

Senate Bill No. 262, "An Act to reserve from location in the event of forfeiture, the public domain now reserved for the benefit of railroads, or railroad companies," was taken up.

Senator Smith moved a call of the Senate.

Call sustained.

Roll called.

ABSENT—Senators McLeary, Terrell—2.

House Bill No. 108, "An Act to enable the city of Galveston to construct a sea-wall and breakwater, to levy a tax and issue bonds therefor, and to grant State aid to the same by donations of lands," was taken up.

Senator Piner moved a call of the Senate.

Call sustained.

Roll called.

ABSENT—Senator McLeary, Terrell—2.

Senator Grace moved to suspend the call on substitute for Senate Bill No. 157.

Carried.

Senator Smith moved a call of the Senate.

On motion of Senator Brady the Senate adjourned until to-morrow morning 9 o'clock.

SEVENTY-NINTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, July 20, 1876. }

Senate met pursuant to adjournment. President in the chair. Roll called. Quorum present. Prayer by the Chaplain.

Journal of yesterday adopted.

Senator Brown in the chair.

On motion of Senator Stephens, Senator Guy was excused until noon to-day.

Senator Ledbetter, Chairman of the Committee on Counties and County Boundaries, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Counties and County Boundaries, to whom was referred House Bill No. 372, entitled, "An Act to create and organize the county of Bennett," have had the same under consideration, and I am instructed by said committee to report the same back to the Senate, and recommend that it do pass.

LEDBETTER, *Chairman.*

Senator Crain, by request, introduced a bill, entitled: "An Act to prevent breaches of the peace, and to carry into effect Section 24, Article 5, of the Constitution."

Read by caption and referred to Judiciary Committee No. 1.

House Bill No. 69, "An Act to provide for the election of Justices of the Peace, and to define their powers and jurisdiction," was taken up and referred to Judiciary Committee No. 1.

On motion of Senator Grace, the rules were suspended, and House Bill No. 196, "An Act to provide for the publication of certain decisions of the Court of Appeals," was taken up, read third time and passed.

On motion of Senator McLeary, the rules were suspended, and House Bill No. 239, "An Act to incorporate the city of Galveston and grant a

new charter," was taken up, and the report and amendments of the committee adopted.

On motion of Senator McCormick, the first reading of the bill was dispensed with, by the following vote:

YEAS—Senators Ball, Brown, Crain, Douglass, Edwards, Francis, Grace, Henry J. R., Henry F. M., Hobby, Ledbetter, Martin, McLeary, McCormick, McCulloch, Moore, Motley, Piner, Ripetoe, Smith, Stephens, Storey, Terrell, Thompson, Wortham—25.

NAYS—None.

NOT VOTING—Senators Blassingame, Brady, Burton, Ford—4.

The rules were suspended to place the bill on its second reading, by the following vote:

YEAS—Senators Ball, Brown, Crain, Douglass, Edwards, Ford, Grace, Henry J. R., Henry F. M., Hobby, Ledbetter, Martin, McLeary, McCormick, McCulloch, Moore, Motley, Ripetoe, Smith, Storey, Terrell, Thompson, Wortham—23.

NAYS—None.

NOT VOTING—Senators Blassingame, Brady, Burton, Francis, Piner, Stephens—6.

Bill read second time and passed to a third reading.

On motion of Senator McCormick, the rules were suspended, to place the bill on its third reading, by the following vote:

YEAS—Senators Ball, Brown, Burton, Crain, Douglass, Edwards, Ford, Grace, Henry J. R., Henry F. M., Hobby, Ledbetter, Martin, McLeary, McCormick, McCulloch, Moore, Motley, Piner, Ripetoe, Smith, Storey, Terrell, Thompson, Wortham—25.

NAYS—None.

NOT VOTING—Senators Blassingame, Brady, Guy, Stephens—4.

Bill read third time, and passed by the following vote:

YEAS—Senators Ball, Brown, Burton, Crain, Douglass, Edwards, Francis, Ford, Grace, Henry J. R., Henry F. M., Hobby, Ledbetter, McLeary, McCormick, McCulloch, Moore, Motley, Piner, Ripetoe, Smith, Storey, Terrell, Thompson, Wortham—25.

NAYS—None.

NOT VOTING—Senators Blassingame, Brady, Martin, Stephens—4.

President in the chair.

Senate Bill No. 303, "An Act for the relief of railroads and other internal improvement companies in Texas," being the unfinished business, was taken up, the amendment of Senator Crain to the amendment of Senator Stephens pending.

The President, after publicly reading its caption, signed the following bill:

Senate Bill No. 349—"An act to organize the Commissioners' Courts and to define their jurisdiction and duties, and provide for vacancies therein."

Senator Ball in the chair.

A message was received from His Excellency, the Governor.

Senator Crain withdrew his amendment, and offered the following in lieu thereof:

Strike out all after the word, "held," in line 11, and insert the words: "Exempt from location for the benefit of the State: *provided*, that in said reservations shall be set apart, located and appropriated:

"*First*—For the benefit of the public free schools of the State an

amount of land equal to the number of acres heretofore or hereafter granted upon international and ditch certificates.

"*Second*—Three millions of acres of land for the purpose of erecting a new State Capitol and all necessary public buildings at the seat of government.

"*Third*—One million of acres for the endowment, maintenance and support of the University of Texas and its branches.

"*Fourth*—One-half of the remainder shall be set apart and appropriated for the support of public free schools in the State."

President in the chair.

On motion of Senator Martin, the Senate adjourned until 4 o'clock this evening.

AFTERNOON SESSION.

Senate met pursuant to adjournment. Roll called. Quorum present. President in the chair.

A message was received from the House, announcing the passage by that body of House Bill No. 320: "An Act granting further time to the Corpus Christi, San Diego and Rio Grande Narrow Gauge Railroad Company"; Substitute for House Bills Nos. 189 and 211: "An Act to carry into effect Section 22, Article 16, of the Constitution of the State of Texas, authorizing the passage of fence laws"; House Bill No. 399: "An Act to detach the county of Rains from the Seventh Judicial District and to attach the same to the Eighth Judicial District, and to fix the times of holding the courts therein," and that the House concurred in Senate amendments to House Bill No. 239, "An Act to incorporate the city of Galveston and grant a new charter to the same."

Senator Grace, Chairman of the Committee on Enrolled Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Enrolled Bills have carefully examined, compared and find correctly enrolled, Senate Bill No. 349, entitled, "An Act to organize Commissioners' Courts and to define their jurisdiction and duties, and provide for vacancies therein." The same has been properly signed and presented to the Governor, this day, at 10 o'clock A. M., for his approval.

GRACE, *Chairman.*

The message of His Excellency, the Governor, of the 18th inst., was taken up and read:

EXECUTIVE OFFICE, STATE OF TEXAS, }
AUSTIN, TEXAS, July 18, 1876. }

To the Hon. Senate of the State of Texas:

GENTLEMEN:—I respectfully ask your advice and consent to the following appointments, to-wit:

A. T. Smith, Notary Public for Harrison county.

G. S. H. Grayson, Notary Public for Marion county.

Seaborn Mosely, " " " "

John Y. Gooch, Notary Public for Anderson county.

W. A. Miller, " " " "

Robt. P. Mayo, Notary Public for Lamar county.

M. W. Moody, " " " "

R. M. Wyatt, in place of }
 N. G. Wyatt, confirmed } Notary Public for Ellis county.
 July 1, 1876,
 M. H. Hogue, Notary Public for Robertson county.
 W. A. Rumble, " " " "
 J. H. Reed, Notary Public for Leon county.
 J. M. Bennicott, in place }
 of J. M. Bennett, con- } Notary Public for Madison county.
 firmed July 5, 1876, }
 John R. Kinnard, Notary Public for Grimes county.
 R. B. S. Foster, " " " "
 Robt. J. Calder, Notary Public for Fort Bend county.
 Reed Emerson, Notary Public for Anderson county.
 H. L. Parmalee, Notary Public for Fannin county.
 Reginald G. Pidcocke, in place }
 of Reginald D. Pidcocke, } Notary Public for McLennan county
 confirmed July 7, 1876, }
 Y. C. A. Rodgers, " " " "
 R. L. Chalk, Notary Public for Eastland county.
 John F. F. Doherty, Notary Public for Coryell county.
 R. H. Gillett, in place of B. H. }
 Gillett, confirmed July 12, } Notary Public for Bee county.
 1876, }
 Julien J. Swaun, " " " "
 Leonard Basbinder, " " " "
 John Archer, Notary Public for Karnes county.
 T. R. Kerr, Notary Public for Jackson county.
 John S. Menifee, " " " "
 A. Baker, " " " "
 W. H. Terrell, " " " "
 A. Giesler, " " " "
 J. D. Owen, " " " "
 Frank B. Owen, " " " "
 Geo. T. Horton, " " " "
 James W. Allen, " " " "
 W. B. Davenport, " " " "
 J. N. Pennphry, " " " "
 A. McDowell, " " " "
 Geo. W. Todd, Notary Public for Mason county.
 J. G. Anderson, Notary Public for Brazos county.
 Geo. W. Sanders, Notary Public for Kendall county.
 W. T. Willie, in place of }
 W. T. Willey, confirm- } Notary Public for Washington county.
 ed July 7, 1876, }
 Ben. S. Rogers, in place }
 of Ben. S. Rodgers, } Notary Public for Washington county.
 confirmed July 7, 1876, }

Very respectfully,

RICHARD COKE.

On motion of Senator Storey, the consideration of the message was postponed until to-morrow at 11 o'clock A. M.

Senator Burton, by leave, introduced a bill, entitled: "An Act for the protection of the public revenue."

Read by caption and referred to Committee on Finance.

Senator Brady, by leave, introduced a bill, entitled: "An Act supplemental and amendatory of 'An Act to authorize the city of Houston to improve and protect the navigation of Buffalo Bayou,' approved July 13, 1876."

Read by caption and referred to Committee on Internal Improvements.

Senator Wortham, from Committee on Engrossed Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills have carefully read, examined and compared Senate Bill No. 179, "An Act to encourage irrigation and navigation," and find the same correctly engrossed.

WORTHAM, for Committee.

Senator Stephens, Chairman of Committee on Engrossed Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills have carefully read, examined and compared Senate Bill No. 348, "An Act to prevent delay in civil suits," and find the same correctly engrossed. STEPHENS, Chairman.

The message of His Excellency, the Governor, vetoing Senate Bill No. 86, "An Act to define the duties of County Attorneys and regulate the performance of the same," with the accompanying bill, was taken up and read:

EXECUTIVE OFFICE, STATE OF TEXAS, }
AUSTIN, July 20, 1876. }

Hon. R. B. Hubbard, President of the Senate:

SIR:—I have the honor to return without my approval Senate Bill No. 86, being "An Act to define the duties of County Attorneys and regulate the performance of the same."

My objections to this bill are confined chiefly to that portion of Section 19 which fixes the fees of County Attorneys. In all felony convictions the fee to be paid by the State is fixed at fifty dollars, and in all convictions for misdemeanor, the fee is fifteen dollars, to be paid by the defendant.

Up to 1870 the District Attorneys received \$20.00 for all felony convictions, to be paid by the State, and \$10.00 for misdemeanor convictions, to be paid by the defendants, with the single exception of convictions for gaming, for which they were paid \$15.00. The purchasing power of a dollar now is believed to be fully as great as it was at any time when these figures were regarded as ample compensation for public prosecutors. The greater amount of criminal business before the courts now, renders the office of prosecutor more valuable to that extent, even if the fees were the same, than it formerly was. The Constitutional Convention recently in session, responding to an universal demand for retrenchment of the expenses of government, which in late years have become oppressive, and especially so under the financial depression which has brought the values of our agricultural staples below the cost of production, reduced the cost of administrative, of the executive, judicial and legislative departments, so far as the subjects could be reached without going into legislative detail, an average of nearly

thirty per cent. The Constitution framed by that body prescribes one-half of one per cent. as the maximum of taxation for support of the State government, including under that head, payment of interest on the public debt, defense of the frontier, and all other ordinary or extraordinary expenses, making exceptions when this maximum may be increased, to meet the emergencies and contingencies enumerated therein, which may not be foreseen or anticipated.

The conclusion of the executive, from the constitutional provisions on this subject is, that these exceptions were made to meet those rare and extreme emergencies which occur outside of the usual and ordinary operations of the government making demands not ordinarily or usually to be expected; and that no power resides in the Legislature to use the exceptions for the increase of the maximum of taxation, as prescribed in the Constitution, for other purposes than such emergencies; but that it is mandatory upon the law-making power to follow the lead of the Convention in cutting down the expenses of administration, State and county, so that the cost of government in its usual and accustomed operation shall not exceed the ordinary fund allowed for the purpose.

These views will be inflexibly enforced to the extent of the influence of the Executive in the formation of every enactment which touches one dollar of public money, State or county, founded as they are upon convictions of constitutional duty, as well as of expediency. It is unquestionably practicable to reduce expenses within the limits of the revenues without detriment to the public service, and a proper harmony between the organic law and the enactments of the Legislature requires that the system of retrenchment commenced in the former, be carried through all the details, even the minutest, of the latter. The Congress of the United States has, at its present session, reduced the ordinary expenses of the general government forty million dollars. This has been done in obedience to a great popular demand; the Legislature of Texas have upon them in addition to the same demand, the imperative obligation of the Constitution.

Applying these views to the provisions in this bill, fixing fees, they are excessive, and should be reduced. I would suggest that fees in felony cases be graded, and that fifty dollars for convictions of murder of the first and second degrees, and manslaughter, be allowed, and that thirty dollars be allowed for all other felony convictions.

A fifteen dollar fee, to be taxed in every case against defendants, would in many instances of slight or technical violations of law be unjust, and frequently oppressive, and it is believed that ten dollars would usually be a sufficient compensation.

Your attention is called to Sections 5, 6, and 19, with reference to public moneys collected by County Attorneys. They are given commissions on all moneys collected for the State; but it will be borne in mind that fines, penalties and forfeitures are collected for, and paid to the counties, and no commissions are allowed in the bill for moneys collected for counties. It is rare that a collection is made by a County Attorney for the State; that is, which is paid into the State Treasury. It is believed to be the intention of this bill to give commissions to the County Attorney on all moneys collected by him, whether for the State or the county, and it is just and proper that it be done; but there is an ambiguity in this bill on that subject, to say the least, which should be cleared up. Very respectfully,

RICHARD COKE.

The question was then submitted to the Senate, "Whether the bill should pass, notwithstanding the Governor's objections."

The bill was lost by the following vote (a two-thirds vote being required):

YEAS—Senators Brady, Brown, Burton, Guy, Hobby, Ledbetter, McLeary, McCormick, McCulloch, Motley, Piner, Smith, Storey, Wortham—14.

NAYS—Senators Ball, Blassingame, Douglass, Edwards, Francis, Ford, Grace, Henry J. R., Henry F. M., Moore, Ripetoe, Stephens, Thompson—13.

NOT VOTING—Senators Crain, Martin, Terrell—3.

The consideration of Senate Bill No. 303, "An Act for the relief of railroads and other works of internal improvements of the State of Texas," was resumed, with pending amendments.

Senator McLeary moved a call of the Senate.

Call sustained.

Roll called.

ABSENT—Senators Crain, Martin, Terrell—3.

Pending the call the bill went to the table.

Senator Storey, by leave, introduced a bill to be entitled: "An Act to define and regulate the duties of County Attorneys."

Read by caption and referred to Judiciary Committee No. 1.

The President, after reading its caption, signed the following bill:

Senate Bill No. 295—"An Act to suppress lawlessness and crime, and make an appropriation therefor."

On motion of Senator Edwards, the rules were suspended, and House Bill No. 399, "An Act to detach the county of Rains from the Seventh Judicial District and attach the same to the Eighth Judicial District, and to fix the times of holding the courts therein," was taken up.

On motion of Senator Wortham, the bill was referred to Judiciary Committee No. 2.

On motion of Senator Smith, the rules were suspended, and Senate Bill No. 348, "An Act to prevent delay in civil cases," was taken up, read third time and passed.

On motion of Senator Brady, the rules were suspended, and House Bill No. 212, "An Act to facilitate commerce and navigation within the navigable waters of the State of Texas," was taken up.

A motion was pending to reconsider its passing to the third reading.

Senator McCormick moved a call of the Senate.

Call sustained.

Roll called.

ABSENT—Senators Crain, Moore, Martin—3.

Pending the call the bill went to the table.

Senator Brown, by leave, introduced a petition from citizens of Milam, Bell and Williamson counties, "Asking for the creation of a new county, to be called the county of San Gabriel."

Referred to Committee on Counties and County Boundaries.

Senator McLeary, by leave, introduced a bill to be entitled: "An Act to attach the county of Concho to the county of Tom Green for judicial and surveying purposes."

Senate Bill No. 208—"An Act to amend 'An Act to regulate proceedings in the District Court,' approved May 13, 1846," being a special order, was taken up.

On motion of Senator Storey, it was postponed until Monday next at 10 o'clock A. M.

Senate Bill No. 262—"An Act to reserve from location in the event of forfeiture the public domain now reserved for the benefit of railroads or railroad companies," was taken up.

The bill was then read the second time.

Senator McLeary offered the following amendment:

In Section 1, lines 5 and 6, strike out the words, "by virtue of certificates issued heretofore to individuals as colonists or soldiers of the Republic, or."

Senator Henry moved a call of the Senate on the bill.

Call seconded.

Roll called.

ABSENT—Senators Crain, Martin.

On motion of Senator McLeary, the call was suspended as to Senate Bill No. 262, and the consideration of the bill resumed, and Senator McLeary's amendment adopted.

Senator Edwards moved a call of the Senate.

Call seconded.

Roll called.

ABSENT—Senator Crain.

A message was received from the House, announcing the passage by that body of House Bill No. 403, "An Act to provide for the election of a District Attorney in the First Judicial District of the State of Texas;" also, substitute for House Bill No. 402, "An Act to provide for furnishing certain supplies herein named to the Lunatic, Deaf and Dumb, and Blind Asylums."

On motion of Senator Francis, the rules were suspended, and substitute for Senate Bills Nos. 56 and 157, "An Act to provide for the custody and maintenance of indigent lunatics," was taken up.

Senator Smith moved that the call of the Senate be suspended.

Lost.

Senator Smith moved that Senator Crain be excused.

Lost by the following vote:

YEAS—Senators Burton, Guy, Hobby, McCulloch, Smith, Stephens, Wortham—7.

NAYS—Senators Blassingame, Douglass, Francis, Ford, Grace, ¹/₂ J. R., Henry F. M., Ledbetter, Martin, McLeary, McCormick, Piner, Ripetoe, Storey, Terrell, Thompson—16.

NOT VOTING—Senators Brady, Brown, Edwards, Moore, Motley—5.

Senator Crain appearing, the Senate was announced as being full, and the consideration of Senate Bill No. 303 was resumed.

The President *pro tem.* in the chair.

A message was received from the House, announcing the passage by that body of Senate Bill No. 67, "An Act to amend an act entitled, 'An Act regulating contested elections,'" approved May 8, 1873; also, House Bill No. 290, "An Act to amend an act entitled, 'An Act supplementary to an act entitled, 'An Act to create the county of Ellis,'" approved January 28, 1850; also House Bill No. 294, "An Act to authorize County Commissioners' Courts, in each county, to create new precincts in their respective counties, and appoint Justices of the Peace and Constables in such precincts to serve until the next succeeding general election;" also Senate Bill No. 193, "An Act to provide for settlements in certain cases

with the Comptroller of Public Accounts by Sheriffs and other persons entrusted with the collection of taxes."

Senator Wortham, from the Committee on Enrolled Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Enrolled Bills have carefully examined, compared and found correctly enrolled, Senate Bill No. 295, entitled, "An Act to suppress lawlessness and crime in certain parts of the State, and make an appropriation therefor." The same has been properly signed and presented to the Governor this day, at 5:25 o'clock P. M., for his approval.

WORTHAM, *for Committee.*

Senator Stephens, Chairman of the Committee on Engrossed Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills, have carefully examined and compared and find correctly engrossed, Senate Bill No. 353, "An Act to provide for an election in the city of Brownsville."

STEPHENS, *Chairman.*

Senator Smith moved that the Senate adjourn until 9 o'clock, to-morrow morning.

Lost by the following vote:

YEAS—Senators Crain, Guy, Ledbetter, McLeary, McCormick, McCulloch, Motley, Piner, Smith, Stephens, Storey, Terrell—12.

NAYS—Senators Ball, Blassingame, Brady, Douglass, Edwards, Francis, Grace, Henry J. R., Henry F. M., Hobby, Martin, Moore, Ripetoe, Thompson, Wortham—15.

NOT VOTING—Senators Brown, Burton, Ford—3.

Senator Hobby moved that the Senate adjourn till this evening at 8:30 o'clock.

Carried by the following vote:

YEAS—Senators Ball, Blassingame, Burton, Crain, Douglass, Edwards, Francis, Grace, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, Martin, McCormick, McCulloch, Moore, Piner, Ripetoe, Storey, Terrell, Thompson, Wortham—23.

NAYS—Senators Brady, McLeary, Motley, Smith, Stephens—5.

NOT VOTING—Senators Brown, Ford—2.

NIGHT SESSION.

Senate met pursuant to adjournment. Roll called. Quorum present. President in the chair.

The consideration of Senate Bill No. 303, "An Act for the relief of railroads and other works of internal improvements in the State of Texas," was resumed.

Senator Crain's amendment was lost by the following vote:

YEAS—Senators Brown, Burton, Crain, Ford, McLeary, McCormick, McCulloch, Motley, Smith, Stephens, Storey, Terrell, Thompson—13.

NAYS—Senators Ball, Blassingame, Brady, Douglass, Edwards, Francis, Grace, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, Martin, Moore, Piner, Ripetoe, Wortham—17.

Senator Henry of Cass moved the previous question.

Seconded.

Senator Terrell moved a call of the Senate.

The chair decided the motion out of order.

The main question was ordered, by the following vote:

YEAS—Senators Ball, Blassingame, Brady, Brown, Douglass, Edwards, Francis, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, Martin, Moore, Piner, Ripetoe, Wortham—17.

NAYS—Senators Burton, Crain, Ford, Grace, McLeary, McCormick, McCulloch, Motley, Smith, Stephens, Storey, Terrell, Thompson—13.

Senator Stephens' amendment was lost by the following vote:

YEAS—Senators Brown, Burton, Crain, McLeary, McCormick, McCulloch, Motley, Smith, Stephens, Storey, Terrell, Thompson—12.

NAYS—Senators Ball, Blassingame, Brady, Douglass, Edwards, Francis, Grace, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, Martin, Moore, Piner, Ripetoe, Wortham—17.

The bill was then ordered engrossed, by the following vote:

YEAS—Senators Ball, Blassingame, Brady, Brown, Douglass, Edwards, Francis, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, Moore, Piner, Ripetoe, Wortham—16.

NAYS—Senators Burton, Crain, Ford, Grace, Martin, McLeary, McCormick, McCulloch, Motley, Smith, Stephens, Storey, Terrell, Thompson—14.

On motion of Senator Martin, the Senate adjourned until to-morrow at 9 o'clock A. M.

EIGHTIETH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, July 21, 1876. }

Senate met pursuant to adjournment. President in the chair. Roll called. Quorum present. Prayer by the Chaplain.

Journal of yesterday adopted.

Senator Terrell introduced a bill entitled: "An Act to provide for the prosecution of appeals and writs of error from certain civil causes decided in the District Courts of the State."

Read by caption and referred to Judiciary Committee No. 1.

The President took up the following House Bills and referred them to appropriate committees:

House Bill No. 320—"An Act granting further time to the Corpus Christi, San Diego and Rio Grande Narrow Gauge Railroad Company."

Referred to Committee on Internal Improvements.

Substitute for House Bills Nos. 189 and 211:—"An Act to carry into effect Section 22, Article 16, of the Constitution of the State of Texas, authorizing the passage of fence laws."

Referred to Committee on Stock and Stock Raising.

House Bill No. 403—"An Act to provide for the election of a District Attorney in the First Judicial District of the State of Texas."

Referred to Judiciary Committee No. 1.

Substitute for House Bill No. 402—"An Act to provide for furnishing certain supplies herein named, to the Lunatic, Deaf and Dumb and Blind Asylums."

Referred to Committee on State Asylums.

House Bill No. 294—"An Act to authorize County Commissioners' Courts, in each county, to create new precincts in their respective coun-